

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NO. C 06-01730 JW
NO. C 06-02202 JW
NO. C 06-02369 JW

In re County of Monterey Initiative Matter
and

SUMMARY JUDGMENT

In re Monterey Referendum.

Pursuant to the Court's March 28, 2007 Order Denying Rangel Plaintiffs' Request for the Convening of a Three Judge Court; Granting the Melendez and Rancho San Juan Opposition Coalition Plaintiffs' Motion for Summary Judgment; and Ordering the County of Monterey to Submit the Initiative and Referendum to Voters of Monterey County at the June 5, 2007 County Election, the Court enters judgment as follows:

- 1) In case **C 06-01730**, judgment is entered in favor of Plaintiffs William Melendez, Ken Gray, Jyl Jutes, Carolyn Anderson, and Landwatch Monterey County, against Defendant the County of Monterey. The County shall submit the Monterey County Quality of Life, Affordable Housing, and Voter Control Initiative, in its entirety and without alteration, to the voters of Monterey County at the June 5, 2007 county election. The Plaintiffs are entitled to recover reasonable costs and fees.

- 1 2) In case **C 06-02202**, judgment is entered in favor of Defendant the County of
2 Monterey, against Plaintiffs Sabas Rangel and Maria Buell. The injunction against
3 placing the Referendum Against Resolution No. 05-305 is denied.
4 3) In case **C 06-02369**, judgment is entered in favor of Plaintiffs Rancho San Juan
5 Opposition Coalition, Citizens for Responsible Growth, and Julie Engell, against
6 Defendants the County of Monterey. The County shall submit the Referendum
7 Against Resolution No. 05-305, in its entirety and without alteration, to the voters of
8 Monterey County at the June 5, 2007 county election. The Plaintiffs are entitled to
9 recover reasonable costs and fees.

10 Upon timely request, the Court reserves for post-judgment consideration of any motion for
11 reasonable attorneys' fees or costs by a prevailing party.

12
13 Dated: March 29, 2007
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JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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8 **Dated: March 29, 2007**

9 **Richard W. Wieking, Clerk**

10 By: /s/ JW Chambers
11 Elizabeth Garcia
12 Courtroom Deputy